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# ZIONS BANK

## Executive Banking

Gary D McCarty  
111 N. Freedom Blvd.  
Provo, Utah 84601

Phone: (801) 370-4108

Fax: (801) 370-4148

Date: 10/4/05 Time: 2:30 pm

### FAX TO:

Name: Beth Erickson  
Company: sr of U  
Fax #: 359-3940

# of Pages (including cover sheet): 2

RECEIVED

### FROM:

OCT 04 2005

Name: Gary D. McCarty  
Company: Zions Bank Executive Banking

DIV. OF OIL, GAS & MINING

### COMMENTS:

Here is the letter you  
Requested on M. Todd Wilkie  
like for your assistance and  
advise.

Gary D McCarty  
VP.

### Fax Cover Sheet

PLEASE NOTE: The information contained in this facsimile is intended to be sent only to the stated recipient of this transmission. If the reader of this message is not the intended recipient or the intended recipient's agent, you are hereby notified that any dissemination, distribution or copying of the information contained in this facsimile transmission is prohibited. You are further asked to notify us of the error as soon as possible at the above telephone number and return the facsimile documents to us immediately by mail at the address shown above. Thank you for your cooperation.



*Executive Banking*  
ZIONS BANK®

5/023/087

Gary D. McCarty  
Vice President  
Central Utah Area Manager

October 4, 2005

State of Utah  
Division of Oil, Gas & Mining  
Attn: Beth Ericksen  
Salt Lake City, Utah

RECEIVED

OCT 04 2005

DIV. OF OIL, GAS &amp; MINING

Dear Ms. Ericksen,

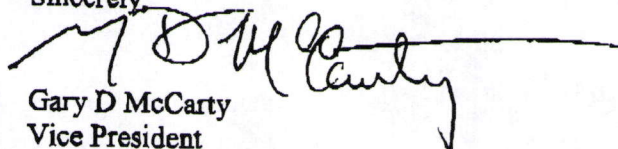
As requested, this letter is a follow up to the conversation we had yesterday regarding M. Todd Wilhite.

As I indicated, Todd requested that we not fund the CD that he opened with us on 9/12/2005 until he had a chance to complete the paperwork with your office. I thought the paperwork had been completed, but he informed us on Friday September 30, 2005 that it was not.

I sent you some paperwork last week that indicated that the CD was open and a hold was placed on the funds as per your instructions. Because of Todd's request, the CD opening was reversed on 9/30/2005.

At this point, we are on hold until we receive word from Todd that he has completed the paperwork with your office and he is ready to move forward with the funding of the CD. When that occurs, I will send you the additional information that you will need to complete this transaction.

Sincerely,

  
Gary D. McCarty  
Vice President